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SENSITIVE

STATE FOR OES/O BALTON AND OES/OMC TINKHAM  
STATE ALSO FOR EUR/WE, COMMERCE FOR NOAA/NMFS/IA

E.O. 12958: N/A

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SUBJECT: LETTER TO ITALIAN OFFICIAL ON DRIFTNETS

REF: A) STATE 100593 (NOTAL) B) ROME 1174 (NOTAL)

SENSITIVE BUT UNCLASSIFIED - PROTECT ACCORDINGLY

**11.** (SBU) SUMMARY: On June 7, Emboffs delivered letter in ref (A) to Paolo Scarpa Bonazza Buora, the Italian Under Secretary of Agriculture responsible for Fisheries. Scarpa

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emphasized that as of 2002, the GOI had "solved and stopped" the driftnet problem, and strongly opposed any illegal activities still going on. Scarpa asked his subordinates to explain the technical content of an April ministerial decree that was recently struck down by the TAR (Administrative court). He asserted that NGOs that had brought suit against the government's decree had "misunderstood" it. In response to a request in OES/O DAS Balton's letter, he instructed his subordinates to provide Emboffs with data on 2004 enforcement activities as soon as possible. END SUMMARY.

**12.** (U) On June 7, Minister-Counselor for Agricultural Affairs and Counselor for EST Affairs delivered ref tel (A) letter from OES/O DAS David Balton to Paolo Scarpa Bonazza Buora, the Italian Under Secretary of Agriculture responsible for fisheries. Elisabetta Giannocari (Fisheries Deputy Director) and Claudio Teso from Scarpa's office, also attended the meeting. Scarpa Bonazza emphasized that he was very familiar with the driftnet problem and confirmed that he was the person in his Department responsible for the issue. The U/S underlined that as of 2002, the GOI had "solved and stopped" the driftnet problem, and strongly opposed the "still-present but impossible-to-eradicate" illegal activities. Scarpa also mentioned that the GOI is working with the General Fisheries Commission for the Mediterranean (GFCM) to ban the use of driftnets in the Mediterranean by non-EU countries. He noted that the GOI condemns the fact that driftnets are still allowed - until 2008 - in the Baltic Sea.

**13.** (U) Scarpa discussed the GOI's April decree (see paragraph 4), and noted that several NGOs opposed it. He confirmed that on June 2, the administrative court of the Lazio Region (TAR) suspended the decree until June 20, pending a final decision. Scarpa instructed Giannocari to provide the Embassy with the 2004 (and 2005) enforcement data requested in the Department's letter by June 15.

COMMENT: Since Port Captaincies no longer collect driftnet-only enforcement statistics, we believe it will take longer for the Embassy to receive the data. END COMMENT.

**14.** (SBU) Giannocari explained the technical content of the April 2005 decree signed by Scarpa and strongly opposed by the NGOs. Giannocari emphasized that the ministerial decree was not/not related to driftnets, but just to gillnets, which are still allowed by the EU and differ from driftnets because they are anchored. The decree provided for the use of a new gillnet, which is "only slightly different" from the usual one, since it is "as high as 20 meters instead of 4 meters". Moreover, this net can be used beyond the 3 miles - but within the 12 miles territorial zone - and only around the Italian "smaller islands" during the period of April 15 - July 31, 2005. The extension to 12 miles instead of 3 was justified by the fact that it is impossible to catch pelagic fish very close to the coasts, because there is too much summer tourist boat traffic. COMMENT: At the end of the meeting, Scarpa tried to justify the decree, stating that the fishermen in these small islands are the ones who have traditionally used driftnets, and now that the EU has banned them, they feel they are disadvantaged when they see boats from non-EU countries (e.g. Morocco, Tunisia, Algeria) using them in the nearby international waters. END COMMENT.

**15.** (SBU) COMMENT: The "catch" in the April decree is that it is practically impossible to anchor the gillnets in deep waters, such as those around the Italian small islands of volcanic origin. Thus the gillnets, at 5-kilometers long

and 20-meters high, bear a strong resemblance to illegal driftnets. It is also important to note that the gillnets were authorized in national waters only. We believe that the suspension of the ministerial decree by the TAR - and hopefully a final decision to reject it - should make enforcement easier. END COMMENT.

16. (U) On June 4 and 5, a few days after the court suspended the decree, the local Sicilian press reported enforcement actions by the Customs Police against illegal driftnets. One account mentioned that the police caught a boat near the Eolic Islands, seized the net, administered a 1000-euro fine, and reported the boat's owner to the magistrates for committing fraud against both the GOI and the EU. The article did not mention if the incident occurred in international waters or not.

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